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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.A. No 495 /2005

Division Bench

APPELLANT

Claimant

Chandan Soni
Aged about 14 years
S/o. Shivram Soni
Minor- Through Father
Shivram Soni, S/o. Late
Shri Jagannath Prasad Soni
R/o. Sonar-para, Champa
Tahsil and Police Station
Champa, Distt. Janjgir
Champa (C.G.)

P.R. No. 992/05
Presented by P.R. No. 992/05
dated 11.04.05
Swamin

VERSUS

RESPONDENTS :

Driver

1. Sitaram, S/o. Mehtab Nayak
R/o. Village Budbud
Police Station- Pali,
Tahsil Katghora
District Korba (C.G.)

Owner

2. Ashok Kumar Sharma
S/o. Vasudeo Sharma
R/o. Bengali Chal,
Durapa Road Korba
Tahsil and Police Station
Korba, District Korba (C.G.)

Insurer

3. The New India Assurance
Company Limited
Through: Branch Manager
Divisional Office Transport Nagar
Korba, District Korba (C.G.)

Claims before the Tribunal Rs. 2,82,000/-

Awarded amount Rs. 42,000/-

Claiming in the present appeal Rs. 2,40,000/-

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HIGH COURT OF CHHATTISGARH; BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 485 OF 2005

Appellant:

Chandan Soni

Versus

Respondents:

Sitaram and others

(Arising out of Claim Case No. 8/2004)

27/02/2007

Claimant Chandan Soni through his father Shivram Soni is present along with Shri Ashok Swarnakar, Advocate.

None for respondents No. 1 and 2.

Shri K.L. Daswan, Divisional Manager, the New India Assurance Company Limited with Shri Sankalp Jaiswal counsel for respondent No.3.

Shri Shivram Soni, father of the minor claimant Chandan Soni, has filed an application along with affidavit for grant of permission to compromise the case on behalf of the minor.

Considered. Allowed. Both the parties filed compromise.

In terms of compromise, award is passed as below:-

- 1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs. 75,000/- (Rupees seventy-five thousand only) to the appellant.
- 2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
- 3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
- 4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
- 5) In view of the above, appeal against respondents No. 1 and 2 stands dismissed.
- 6) Out of the above amount, Rs.750/- (Rupees seven hundred fifty only) shall be paid to counsel for the appellant directly by respondent No.3 towards counsel fee.
- 7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
- 8) Copy of the award shall be given to the parties free of cost.

Sd/-

V.K. Shrivastava
Judge

Sd/-

Member - Lok Adalat
High Court of Chhattisgarh
Bilaspur